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OFFICE OF PETITIONS

In re Application of
Michael N. Macris et al.
Application No. 10/007,143
Filed: November 5, 2001
Attorney Docket No. 11493/6:4

DECISION ACCORDING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the request for reconsideration, filed November 15, 2002.

The petition is GRANTED.

The above-identified application was filed on November 5, 2001. The application names Michael N. Macris and David Dobney as joint inventors. The declaration is signed by inventor Macris only. The applicant files this petition alleging that joint inventor David Dobney cannot be located and seeks status under 37 CFR 1.47(a).

By declaration of Mara K. Featherstone, an Attorney on behalf of American Polymer, the applicant has been unable to locate David Dobney, that they have attempted to contact him by E-mail and by telephone, and that they mailed a copy of the application papers to the last known address. Petitioners further assert that the correspondence mailed to Mr. Dobney was returned as undeliverable with no forwarding address.

A grantable petition under 37 CFR 1.47(a) requires: (1) proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration after having been presented with the application papers (specification, claims and drawings); (2) an acceptable oath or declaration in compliance with 35 U.S.C. §§ 115 and 116; (3) the petition fee; and (4) a statement of the last known address of the non-signing inventor.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). In view thereof, this application is hereby accorded Rule 1.47(a) status.

Thus, as provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventors at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application is being forwarded to the Office of Initial Patent Examination to be processed in due course.

Telephone inquiries related to this decision should be directed to the undersigned Petitions Attorney at (703) 305-4497.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions